IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.169 OF 2004

Kopargaon Sahakari Sakhar Karkhana Limited .. Appellant.
V/s.
The Dy. Commissioner of Income-Tax, (Special Range) Nasik & Anr. .. Respondents.

Mr.R.R. Bhosale i/b. B.V. Mahadik for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 23RD DECEMBER, 2004.

P.C. :

Heard.

2. The learned counsel for the assessee relies upon the judgment of the Supreme Court in the case of Siddheshwar Sahakari Sakhar Karkhana Ltd. V/s. CIT & Others, 270 ITR 1. Thus, we find that the following substantial question of law arises in this appeal :

> Whether on the facts and in the circumstances of the case and in law the Tribunal was justified in upholding the disallowance of the claim of the assessee on account of non-refundable deposits and interest ?

3. Admit.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)